



Attorney's Docket No.: 11072-002001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Frank E. Ruch
Serial No. : 09/542,121
Filed : April 4, 2000
Title : LACTOSE HYDROLYSIS

Art Unit : 1652
Examiner : Manjunath N. Rao

RECEIVED

MAY 12 2003

TECH CENTER 1600/2900

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the action dated December 3, 2002, finally rejecting claims 1, 3-13, and 25-30.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for 2 months up to and including May 5, 2003 (May 3, 2003, and May 4, 2003, being a Saturday and Sunday, respectively) is enclosed.

A check in the amount of \$160 for the appeal fee is enclosed. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing attorney docket number 11072-002001.

05/09/2003 MBIZUMES 00000010 09542121

01 FC:2401

160.00 OP

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

5/5/03
Date of Deposit

Signature

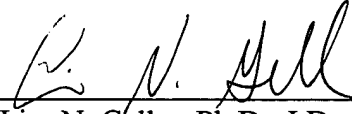
Typed or Printed Name of Person Signing Certificate

Applicant : Frank E. Ruch
Serial No. : 09/542,121
Filed : April 4, 2000
Page : 2 of 2

Attorney's Docket No.: 11072-002001

Respectfully submitted,

Date: Aug 5, 2003



Lisa N. Geller, Ph.D., J.D.
Reg. No. 51,726

Fish & Richardson P.C.
225 Franklin Street
Boston, Massachusetts 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906
20635784.doc